Deposited: September 8, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA

22313-1450

\_\_ Ruth Montalvo

Date: September 8, 2005

SER & TRACES

Docket No.: GK-ZEI-3049Div/500343.20242

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.

26418

Applicant:

Thomas Weyh et al.

Serial No.:

10/804,258

Filed:

March 18, 2004

Examiner:

Mark A. Robinson

Group Art Unit:

2872

For:

Arrangement for Illumination and/or

Detection in a Microscope

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98. Enclosed is Form PTO-1449 which lists the references being cited along with a copy of each of the references.

09/13/2005 EAYALEW1 00000073 10804258

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The references may be deemed to be pertinent to the above-identified application and are being made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider each of the items and to independently ascertain their teaching.

1. 

Enclosed is PTO Form 1449 (and a duplicate thereof).

2. 

Items listed on the enclosed Form PTO-1449 are not in

1.	$\bowtie$	Enclosed	is PTO Form 1449 (and a duplicate thereof).
2.			ted on the enclosed Form PTO-1449 are not in sh language.
		lang ther	each of the following items, an English- ruage translation of that item or a portion eof or a concise explanation of the vance of that item is attached:
		expl	each of the following items, a concise anation of that item is incorporated in the ification of the above-identified ication:
		corr pate othe	each of the following items, a esponding U.S. or other English-language nt is enclosed. Please consider the U.S. or English-language patents in accordance the procedure set forth in MPEP § 609:
3.		Submissio	n in Accordance with 37 CFR § 1.98(d).
		PTO-1449 Disclosur submitted Applicati which the	of the items listed on the enclosed Form that is not enclosed with this Information e Statement was previously cited by or to the Patent and Trademark Office in on Serial No. [Ser. No.], filed [Date], of present application relies upon for an iling date under 35 U.S.C. 120.
4.		Submissio	n in Accordance with 37 CFR § 1.97(b).
		This Info	rmation Disclosure Statement is being filed
			With the Request for Continued Examination (RCE) Transmittal
			Within three months of the filing date of a national application;
			Within three months of the date of entry of the national stage in an international application; or
			Before the mailing date of a first Office Action on the merits, and NO FEE is due for consideration of this Information Disclosure Statement.

5.	$\bowtie$	Submission in Accordance with 37 CFR 1.97(C).
		This Information Disclosure Statement is being filed before the first mailing date of either
		A final action under § 1.113; or
		☐ A notice of allowance under § 1.311.
		A fee is due for consideration of this Information Disclosure Statement and the fee is paid below; or
		This Information Disclosure Statement is accompanied by one of the certifications pursuant to 37 CFR § 1.97(e), and NO FEE is due for consideration of this Information Disclosure Statement.
6.		Submission in Accordance with 37 CFR 1.97(d).
		This Information Disclosure Statement is being filed after the mailing date of either
		☐ A final action under § 1.113; or
		A notice of allowance under § 1.311,
		whichever comes first, but before payment of the issue fee, and is accompanied by
		a. One of the certifications pursuant to 37 CFR § 1.97(e), which is set forth below;
		<ul> <li>The attached petition requesting consideration of this Information Disclosure Statement; and</li> </ul>
		c. The petition fee under 37 CFR § 1.17(i)(1), which is paid below.
7.	Cert	ification Pursuant to 37 CFR 1.97(e).
		The undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement; or
		The undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

## Fee Payment Being Made.

- Enclosed

   \$180.00 fee for submission under 37 CFR § 1.97(c).

   \$130.00 fee for submission under 37 CFR § 1.97(d).

   A check in the amount of \$180.00 to cover the fee payment is enclosed.
   Charge the fee to Deposit Account No. 50-1529. A duplicate copy of this communication is attached.
- The Director is hereby authorized to charge payment of any additional fees associated with this Information Disclosure Statement or credit any overpayment to Deposit Account No. 50-1529. A duplicate copy of this communication is enclosed.

Respectfully submitted

Gerald H. Kiel Reg. No. 25,116

REED SMITH LLP

599 Lexington Avenue

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212-521-5402

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of Sheet

Complete if Known				
Application Number	10/804,258			
Filing Date	March 18, 2004			
First Named Inventor	Thomas Weyh			
Art Unit	2872			
Examiner Name	Mark A. Robinson			
Attorney Docket Number	GK-ZEI-3049D/500343.20242			

			U.S. PATI	ENT DOCUMENTS	
Examiner Initials	Cite	nt Number ind Code² (if known	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	us-5,58	37,832	12/24/1996	Norris	
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FOREIGN PATENT DOCUMENTS								
Examiner		Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
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Examiner	Date	
Signature	Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in

conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). 

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Applicant is to place a check mark here if English paragraph Toroglation is standard. English language Translation is attached.